

A Short
ACCOUNT,
Or STATE of
Mr. Sheridan's
CASE

Before the Late
House of Commons,
In a LETTER to J. T.

LONDON,

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SIR,

SOME years since, I sent you a long Letter under the Title of *J. L.* relating to an affair, wherein Mr. *S.* was deeply concerned; this gave you so much satisfaction, that I have thence sufficient encouragement to venture another; especially considering his Vindication is much more necessary in the present instance, and that you are still his Friend, and the person to whom of all Men living he is perhaps the best known. Under that Character you were mention'd in the Copy of a Letter carri'd among other of his Papers to the *House of Commons*, writ in his favour to a great Minister by the late *E. of Or.* for whom living, and for whose memory, both your Gr. and he had, and ever must have, a just value and veneration.

You will find you may still own this Gentleman without blushing, and to shew you were not deceiv'd in the opinion of his Integrity, I have taken the pains, for your sake, as well as for his, whose Friend I own my self, to gather up, and convey to you, the History and occasion, that has made him as publicly known in this, as he was before in another Kingdom. I promise you an impartial Relation, and by it you will see, that Envy and Malice, wherewith he has been long assaulted, have to little purpose spit their Venom.

You are not to learn the cause of his coming for *England* in *June, 1677.* nor knowing his temper, to wonder that having receiv'd some favours from his *R. H.* grati-

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tude oblig'd him to an acknowledgment, and honour and generosity to make and avow it in the time of that great Prince's adversity, whom he found by the unsteady course of Humane affairs, and the craft and malice of designing Men, fallen from being the peoples greatest Favorite into their highest Displeasure.

Soon after, when the D. in obedience to his Royal Brother's commands went into a temporary Exile, which however otherwise uneasy, was chearfully undergone by him, who always resign'd his own, to the will of his Prince: Your Friend having little to hinder, laid hold of that opportunity, follow'd him to *Bruxells*, and there spending most of the time he was abroad, express'd his Obligations and Duty in the best manner he was able.

This, and his openly owning himself devoted to his R. H's interest, while consistent with Loyalty, gave occasion to his Adversaries, whom envy had encreas'd, to vent their Spleen, and endeavour to sully his Reputation, of all things to him most dear, by many false Insinuations, and indeed diabolical Inventions, hoping thereby to disable him from rivalling them in any future pretension. He is not ignorant of the Authors, nor the train, who the better to compass their *honest* Design, hatch'd by one, that Mole-like, works under ground, and he thinks in the dark, they resolv'd at once his ruine, by rendering him odious to the Public, to the Country, to the King, and to the Court; and therefore he was no sooner brought before the *House of Commons*, than he was represented to his Sovereign, as one that had spoken ill of His Majesty, and to the wonder of himself and others, this was first whisper'd to, and after suggested by, a great Lord, to whom Mr. S. owns himself oblig'd for several favours, and in particular for a very kind commendatory Letter some years since

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to Mr. Secretary *Coven* — But that which makes his surprize the greater, is, his not being able to find, on his part, any cause for the change of this Noble-man's greatly valu'd good opinion, of which he hop'd himself still possess'd, because certain he never disoblig'd his Lordship, and defies any Man to make out that in word or action, he ever spake or did irreverently or disloyally of the King, whose Service, you know, no man has more zealously promoted, nor less ineffectually, according to his Station and Power. However, in the height of his misfortune, when to all he did not appear guiltless, he had the happiness to have a Gentleman of Honour and Quality (who by the recommendation of our deceas'd, and never to be forgotten noble Friend, several years ago, took him into his particular favour and acquaintance) publicly to assert his Integrity, his Service, and his Loyalty. An act of Friendship, he is bound by all the ties of Gratitude, ever to remember and acknowledge; few Men in this Age having the courage, or the honesty, to own any Man in adversity, or to defend innocence, when endeavour'd to be run down by faction, noise, and tumult. The ground of this Discourse in public at the King's Dinner, was the Copy of a Letter found among Mr. S's Papers, which plainly appears to have come from another, but not to him; to whom had it been directed, he could not be therefore criminal, it being in no Man's power to prevent any Post-Letter. And yet give me leave to say, that ingenuity and good nature may easily and very naturally make a candid interpretation of this Paper; wherein what ever Injury was contain'd, they are mostly, if not only, guilty, who since the seizing Mr. S's Writings, have sent Copies of it to all the *Coffee-houses* of *London*.

But to give you the Story from the beginning, you

are to understand, that the first week the Parliament met, Mr. S. was told by a Person of Honour, that he was design'd to be brought into Trouble: This was overheard from several, among whom were some Members then looking on at Mrs. C. standing in the Pillory, whereupon he was advis'd to withdraw: Receiving the same account from many others, and yet confident in his Innocence, he resolv'd not to stir. Every day he was alarm'd afresh, and told of great enquiries made after his Actions, and himself censur'd for a *Papist*, a *Coleman*, and a *Jesuit*. At length one *Peter Norris* makes complaint of his being imprison'd at *Dover* by Mr. Secretary *Jenkins's* order. Mr. Secretary said, as I am inform'd, what he did was not unknown to the King and Council. Upon this occasion Mr. S. was nam'd, and a Committee appointed to examin the matter. Mr. S. appears, and acknowledges, he had given a description of *Peter Norris* to Mr. Secretary about the latter end of *May* last, and acquainted him that he was told, this Man knew as much of the bottom of the *Plot*, as any in *England*, and was gone into *France* to fetch over a Priest suppos'd equally knowing.

'Tis not necessary to entertain you with all the questions, very forreign to this matter, by some of the Committee put to Mr. S. 'tis enough to tell you that he truly, tho perhaps not satisfactorily, answer'd all, attended their pleasures a whole week, was thrice before them, once with Dr. D. from whom as news he publicly had the story, and after, the Description, as the Dr. himself openly confess'd. I know not whether it be necessary to acquaint you, that whatever account the Dr. had, Mr. S.'s was not exact as to *Norris's* bringing the Priest into *England*; for it appear'd at the Committee by Papers taken with *Norris* at landing, that he was to Conduct him to *Amsterdam*, to Sr. W. W. then there, and

and that he had pretended to be sent by Dr. T. in conjunction with the E. of *Sh.* and another Noble Peer, that the Priest had been dead above 8 Months, before he began his Journey; a Journey undertaken upon as good an account and sure information, as that of a Justice of Peace's of *Westminster*, who rid post 100 Miles to bring alive from the Country *Beddingfield* the *Jesuit*, Buried 12 Months before out of the Gate-house. It happen'd the evening of that day Mr. S. was Com-manded to attend the Committee, I was in Company with several Persons of Quality, when news was sent that the E. of *P.* was carri'd to the *Tower*, and Mr. S. to the *Gate-house*, who in half an hour after came in himself, and guess'd the Person, and concluded what the other cou'd not deny, that the story was from one that wish'd it had been true, not out of Malice to Mr. S. beyond his name a Stranger, but to a very great Person. After Mr. S.'s first Examination, he receiv'd by the Penny-post two Letters in unknown hands, without any name, the one directed to his Lodging, the other to the *Royal Coffee-house*, the one in Friendship to three Persons of Honour, his acquaintance, nam'd in the Letter, advising him to fly, if he did not resolve to discover, as to him at least impossibilities against the D. the other was more Terrible, tho both mix'd with threats and promises, and in this a place for receiving his answer, and after for meeting appointed. But these he look'd upon as bugbears, fit only to work upon Children and Cowards.

Having produc'd the Dr. who was his Author, he look'd upon himself acquitted from any further trouble, yet some angry Persons displeas'd a hole was not found in his Coat, offer'd wagers he wou'd be lay'd by the Heels in ten days, of which by two very great Persons notice was given him, with advice to retire, at the
Trial.

Trial of my Lord Stafford, but resolv'd to encounter the worst cou'd happen, he utterly rejected the Motion.

On *Thursday, December 9.* He found it was no longer a jest, for it was then order'd that Mr. S.'s and D. D.'s Papers shou'd be seiz'd, and themselves brought in Custody of the Serjeant at Arms to the Bar of the house. In pursuance of this, some Members were sent to their Lodgings between 12 and 1, who coming to Mr. S.'s were told he was abroad; they meeting one of his Servants, sent for him, who finding his Master at the *Coffee-house*, acquainted him that Four of the House of Commons whom he knew not, stay'd for him, he goes to 'um immediately. They after a diligent search for his Papers, spoke of his being sent for by a Messenger. He answer'd, that was unnecessary to one that was ready to wait on them to their house, whither as he was going, they met their Officer, and took him into the Coach. Mr. S. not long after being call'd to the Bar, was ask'd whether a Paper then shew'd him was his Writing: He answer'd it was not, then two lines at the bottom of *Norris's* description were shewn, which he acknowleg'd. After some other questions he was Commanded to withdraw, and a Committee order'd to see the Serjeant search his pockets. But to prevent that trouble Mr. S. had deliver'd them all his Papers, so that nothing cou'd be found save a purse of Gold, out of which in order to be search'd for Papers, more Guinies were said to be tumbl'd, than it cou'd possibly contain. But excepting your Friends fortune, every Molehill relating to him was reputed a Mountain, and no doubt many were big with expectations what he should bring forth, who was said to have several *Colemans* in his belly; and therefore perhaps it was, that the Serjeant sent him to Lodge at a Midwifes, where being laid, in spight of all art and labour, the long hop'd for, conceiv'd
great

great issue, upon delivery, was found dwindl'd to a Mouse. *Parturiunt mentes* — He was 4 or 5 times at the Bar that day; and as often the next; his story being matter of fact, was found to agree exactly with the Doctor's, who was not seldomer examin'd, and tho no crime was objected, nor any information made, yet was he confin'd a close Prisoner, and the Messenger told, if he suffer'd his escape, his own Life wou'd be in danger: an opinion, that cannot be sufficiently admir'd by those, who consider that, had he any apprehension of guilt, he might with ease have avoided that days fury.

The worthy Coll. *M.* whom you knew in *Ireland* by the Title of Capt. came in to accuse Mr. *S.* but of a Circumstance, that if true, cou'd not amount to a Crime. Yet this seem'd so great, that the Gent. cou'd hardly bring it out in Mr. *S.*'s presence, whatever he had done before, uttering then his words so like a Mouse in a Cheese, that the *speaker* was forc'd twice to command the raising his Voice.

After Mr. *S.* was committed, great and narrow Enquiries and Endeavours were made to find or make him more obnoxious; but in vain: His Innocence was his security from peril, tho' not from charge and trouble. Among others, Doctor *Tongue's* Son in *Newgate* was examin'd, whom Mr. *S.* never saw, having industriously avoided all that were or stood related to the Kings Evidence. The Servant-maid of his Lodging was sent for, not only to the Bar, but to *Coffee-houses* and *Taverns*, promis'd and encourag'd, threatn'd and advis'd; but alas, she cou'd not answer expectations. Even a little young Girl of about Eleven years old, not above Ten days his Acquaintance, was very strictly Catechiz'd, concerning his
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Discourse and Conversation about the Parliament. Sure, these persons believ'd him Master of none, or of much less understanding, than they have since reported him.

But on *Saturday* following Dr. D. who confess'd him a R. C. was without Fees (tho' he was forc'd to pay them) or Petition, discharg'd. Mr. S. hearing of this, writes a long Letter to an honourable Member of the Committee, praying his Lordship to represent to the House what he thought most material. On *Monday* his Lordship by an Order of the House was allow'd to see Mr. S. and bring him a Letter open'd by the *Speaker*, relating to a particular concern of another, from whence mighty Discoveries were expected, but they came to nothing. By this Member he pray'd to have liberty to speak for himself the next day, but hearing nothing from him, he wrote to the *Speaker* on *Tuesday*, entreating he might appear before them, and not suffer under *Arbitrary power* so much dreaded from others. Hereupon Mr. *Speaker* was pleas'd on *Wednesday* the 15th, to have him sent for; being call'd in, he was told, if he had any Discovery to make, the House was ready to receive it. To this he reply'd, That as to the *Pter*, he cou'd have none, but he had another relating to himself; viz. To know what was his Crime, and who his Accusers, and that he might according to the *Laws of the Land*, answer for himself. To this was said, They knew his Parts were not much short of the Person's he succeeded, and that he must not think to impose upon so great and wise an *Assembly*, by studi'd Words and Speeches. Mr. S. reply'd, If he cou'd, he wou'd not endeavour by any Rhetorical flourishes to deceive them with *Falshoods*; That he design'd nothing but Truth very plainly worded; That he hop'd their *Justice* would give him leave to vindicate himself, and shew the *unreasonableness* of running down a Man upon general *Surmises* and malicious *Reports*, or of concluding him guilty, before he was Heard or Convicted. Hereupon he was order'd to withdraw, and after some short Debate call'd in, and allow'd the Favour he desir'd; but with Caution, not to be tedious. Being thus permitted, he began the following *Speech*, out of which he omitted very little, and is the same in Substance with what he writ in several Letters to *Members* of the Committee appointed for his Examination; viz. The Lord *Anglesey*, Sir R. Clayton, and Sir Rowl. Gwin.

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THE
SPEECH
OF
Mr. T. Sheridan,
AFTER HIS
EXAMINATION
Before the late
House of Commons,

On *Wednesday* the 15th. of *December* 1680.

TIs, I confess Sir, a great Misfortune to fall
under the Displeasure of the Honourable
House of Commons, it is a Burden, no Man,
tho' never so great, is able to bear; It can-
not then be a wonder, if so inconsiderable a Person,
and of so little strength as I, shou'd stoop under the
B weight;

weight; Not that I fear any Danger to my Person, but grieve for the wounds it gives my Reputation, which I have always valu'd above my life, and that it might be preserv'd spotless, I have ever made it my study to *keep a good Conscience, void of Offence, towards God, and towards Man;* And Therefore I little expected to be brought as a Criminal to This Bar, or any Tribunal.

But I am convinc'd, Innocence is no security against the Darts of Envy or Malice, and that he who will hazard his Body or his Soul, may take away the Life and Fame of any one at pleasure; 'tis to men of such principles I owe my present Trouble: I do not say this to reflect upon any Member of this Great and Honourable Assembly. My Evil is from without Doors, and I know the Authors and the Contrivance so well, that, if it were convenient, I cou'd name them, and trace the whole Chain, Link by Link, to the first, hammer'd by Prejudice, and particular Interest.

I do not wonder that, in the present Circumstances, you shou'd have one Ear open to all reports that any way relate to the publick, this is due to your Station, and to your Prudence; And because Justice and your Honour require it, I as little doubt your reserving the other Ear for the Pleas and Defences of the Accus'd, or that you will Condemn any Man unheard: Upon this assurance it is, that I am bold to beg, with all due respect and reverence, that I may have liberty to speak for my self without interruption. If you are pleas'd to grant me this favour, I will use it as fully and briefly as I can, for your satisfaction and my own vindication.

I have been represented (I hope without offence I may say, traduc'd, for so I can make it appear) for a person of no Fortune, a Papist, a second *Coleman*, and what is more ridiculous, tho' not more false, a Jesuit and the Duke's Confessor.

In clearing my self of these Aspersions, I must be forc'd, to say something, which nothing but necessity, that either has none, or breaks all Laws, can excuse from vanity. As that I was born a Gentleman, of one of the Antientest Families, and related to many Considerable, in *Ireland*; in one County there is a Castle, and a large Demean, and in another a greater tract of Land for several Miles together, yet known by our Name. I need not say who was the head or chief, 'tis too much that my Grandfather was the last that enjoy'd the Estate, and that my Father, left an Orphan in the beginning of King *James's* Reign, soon found himself dispossest, & expos'd to the World, that whole County, with five others in *Ulster*, being intirely escheated to the Crown. My Parents Protestants, my Mother a Gentlewoman of *England* of good Fortune, a *Foster*, who for my Fathers sake quitted her Country and her Relations, both fam'd for honesty, for their Loyalty and Sufferings in the late *Rebellion*, when my Father scap'd twice narrowly with his Life, and at last was forc'd to fly, for relieving and protecting both the Fortunes and Persons of very many *English*.

To my Birth I had a suitable Education; I have some slender pretence to Letters, am not altogether a Stranger to the Civil-law, nor the Laws of *England*, the means intended for my Livelihood.

But, without my seeking or knowledge, some Friends procur'd for me the Collectorship of the Customs of *Cork*, and the management of most of the Inland Revenue of that County : This Employment, and the Accidents attending it, together with that of the *East-India* Prizes, and others in the last War with *Holland*, put into *Kinsale*, enabl'd me to bring for my own proportion of Advance-money, for the present Revenue-Farm of *Ireland*, 9532 *l.* as appears upon Record in the *Chancery of England*; and being by a Brother of mine, then here, without my privity or desire, engag'd in this undertaking, and a stranger to all the Partnership, excepting one, *June* last was three years I sold my Interest for 4000 *l.* profit. This Money I employ'd in Corporation and Church-Leases, in Mortgages, and other Securities, at 10 *l. per cent.* the Interest of that Kingdom. And after this account, if I have no visible real Estate, I hope no man can doubt but that I may live independently, tho' besides, I happen to be a younger Brother, so far from being a prejudice, that it's possible to prove my advantage, being design'd the Heir of two-elder Brothers, who neither have, nor are like to have any Children. The Bills of Exchange, drawn, and remitted to and from *Ireland*, by Sir *John Frederick* and Company, Mr. *D. Arthur*, and other known Merchants, will shew my proper Fond, and no Man's Bounty, supported my Expences; and therefore, because I can with great Truth, I do the more freely declare, That I neither have, nor ever had any Relation to the Duke or Dutchess of *Tork*, as a Servant or Dependent, a Sallery-man or Pensioner, and was so far from succeeding Mr. *Coleman*, that his Employment never enter'd into my Thoughts. taken up with Affairs
of

of a far different nature. My Journey to *Flanders* was no way criminal, and in a great measure the effect of curiosity, having before seen very little of that Countrey, *Holland*, or *Germany*; and as I went not with the Duke, so may return in his Train was purely accident.

For my Religion, as I was born of Protestant Parents, so I was all along bred a member of the Church of *England*, and (by the Grace of God) will live and die in this Profession; for it is not so much owing to the chance of Education, as to my choice, being satisfi'd by Reason, by Scripture, and the Laws of my Country, no inconsiderable Argument, that of all, it is the most purely Christian.

Since I was seventeen years of Age I have gone duly to Church, and several times in every year receiv'd the Sacrament; I did so twice while in *Flanders*, as Dr. *Lake* and Dr. *Doughty* (the Duke's Chaplains) and others can witness; and I have done so six times since my return thence, there are in this Honourable House that can testifie some part of this Truth. I have taken the Oaths of Allegiance and Supremacy eleven times, am ready to submit to all further injunctions of law in matters of Religion, have in Disputes encounter'd, tho' unwillingly, with many of the several Orders abroad, remain'd unshaken in my Principles; This at *Ghent*, putting a Jesuit (more zealous than the rest) into great passion, made him pronounce me obstinate, and declare, *He* could sooner bring over ten of the most rigid Phanaticks of *England*, than hope to make me a Profelyte. Now if all this be not sufficient to wipe off the imputation of Popeny, I confess I am to seek for a defence.

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Among others 'tis objected, That by my Interest in his *R. H.* I got my Brother made a Bishop, in opposition to the Lord Lievtenant of *Ireland*, and contrary to Merit. To this I answer, That my Brother has been as much, and as injuriously, tho' not so publickly, defam'd as I; that he came off with Honour; that a peak between two Great Lords of that Kingdom, and one of the greatest of this, did not only prevent his being sooner promoted, but was the occasion of his being bespatter'd with many fallhoods and calumnies; that few in *Ireland* deserve it better; that what he enjoys, he obtain'd not in opposition to, tho' without the recommendation of, the chief Governour, nor by the mediation of the Duke, but of a great Minister, in the presence of my Lord Bishop of *London*, from the King's immediate Grace openly shewn in Council, and with a particular mark of His Royal Favour.

I hope 'tis no Crime to honour and revere the Duke as he is a Prince, or if a private man to love and value his innate Worth and Qualities; or to have said, as it is reported, (I wish nothing else had been with less Truth) That I wou'd hazard my Life and Fortune to do him any lawful and just Service: If it be a Crime, as I can no ways apprehend of the Brother of my King, while publickly pray'd for in all the Churches of the three Kingdoms, I confess my self guilty; But I am not so wedded to his Interests, as to espouse or pursue them, if he can have any such, contrary to the Duty I owe, and ever will pay, my Sovereign, my Country, my Religion, and my God.

And I do here most solemnly protest, as I hope for
Heaven,

Heaven, if I knew him in any instance a Conspirator or a Traytor, I wou'd not only detest, but endeavour to bring him to publick Justice; and if ever he can be prov'd a Criminal of this nature, I will have no more respect nor regard, but less, for him, than I wou'd for any common Offender. And therefore, without the hopes of Reward, or the fears of Punishment, I declare in the presence of the Almighty, if I knew any part of the *Popish-Plot*, or the Persons concern'd in't, I wou'd long since have reveal'd the whole Contrivance: But none in their senses can believe, that a known Protestant cou'd be made privy to such a Conspiracy; to which, if necessary, might be added, that I was in a Country remote from that, where the Design is said to be hatch'd.

I own my self of so extensive a Charity, as to love the persons of all honest Men, notwithstanding their differing from me in opinion, about the Modes and Circumstances of Religion, and to be for Liberty of Conscience, when consistent with the safety of the state, to all quiet and peaceable Dissenters; But when 'tis urg'd and made use of to other ends, or as a Cloak for Rebellion or Treachery, I abominate all such Indulgence.

But I will no longer dwell on this Subject, than to mind you of Collonel *Manfel's* mistake or forgetfulness, when he informs this Honourable House, *That in or about July 1678. I din'd at his Treat for a German Lord, in order to a Design of his upon a Foreign Command, and that 2 or 3 days after, I shou'd advise him against it, telling him the Duke wou'd very soon have occasion for such Officers.* First, I do say, to have said so was no Crime; But I easily see through this Artifice, 'tis to serve as an argument,

ment, that I understood somewhat of the Plot, of which I am as ignorant as any man living, beyond what I have since learnt from the Prints and public Fame. In the next place, I do utterly deny I ever said the words, because I do not know the Duke had any such Design, and am certain I cannot invent. Besides, by many circumstances, needless here to mention, that Dinner was after the Courts return from *Windsor*, and consequently after the breaking forth of the Plot. I desire the Gentleman wou'd recollect himself; at that time he was very great and intimate with a Roman Catholick, *H. N.* from whom if he heard not the words, as I am not apt to imagine, I am confident he dream'd them. He cannot be ignorant that I knew why he was disbanded in *Ireland*, &c. and that I always declin'd, not only as having no Interest, but as unwilling for other reasons, to introduce him to the Duke, as he often press'd; and therefore he made his application to others, but with as ill success.

And now give me leave, I beseech you, *Mr. Speaker*, to answer an Objection, that I shou'd have prescrib'd a way how the King shou'd live without Parliaments: I am so far from entertaining such a thought, that I ever esteem'd the Constitutions of *England* by King, Lords and Commons the happiest kind of Government in the world; and if the discourse called, *The Rise and Power of Parliaments*, &c. be mine, of which many will have me the Author, the reading it, wou'd be of this a sufficient Confutation: In that, Parliaments are magnifi'd, their power rather enlarg'd than lessen'd, and their frequent meetings recommended as most convenient.

In a word, whatever Character my Adversaries have
given

given of me, I am not a *Protestant in Masquerade*, I can neither Lie nor Dissemble, I am really what I profess, and as the word is commonly taken, no lover of Arbitrary Government, in any single or complicated Body.

As to the Letter subscrib'd by *Fitz-James*, I do sincerely protest I have no Acquaintance with any of the Name, nor ever saw the Hand before, nor the intended Messenger C. who not finding me, left it with the Maid-servant: But in this there is nothing Criminal.

As to the Computations, they are a Transcript from a Paper of Sir *Peter Petts*, containing the number of Conformists, Non-conformists, and Papists throughout *England*, taken by the Bishops order, in, or about the time of the *General Indulgence*, and by him produc'd presently after the *Plot*, upon the talk that there were fifty thousand Papists, able to bear Arms, within *Temple-Bar* and about *Westminster*; a number near double to what, at the taking this survey, there were found Men, Women and Children in the whole Kingdom.

For the Copy of my Cousin *Wilson's* writing, I confess it the only thing I endeavour'd to evade, having ingeniously, and without reserve answer'd all other questions. That individual Paper I never saw before the preceding night, when meeting it in the Drawer of my Bed-Chamber, (always open, whether I am at home or abroad) I laid it uppermost with purpose of inquiring how he came by it, and whether he knew the Author; but not seeing him till next day in presence of the Members sent to search my Lodgings, I cou'd not ask him, and was surpriz'd to have so indiscreet and Reflective a

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Paper

Paper found in his hand, and among mine. 'Tis true; that about three weeks before, I found another of the same Contents, in an old crabbed hand, to me unknown; which after I had read, and concluded it might possibly be left by some of my Acquaintance in their Visits, and being unable to guess at the person, not knowing how long it had layn there, being dated above a Month before, I immediately threw it into the Fire. Yet in this Paper, which has made so great a noise, there is neither Felony nor Treason; and being the Act of another, and never by me publish'd, having neither Sub, nor Super, Scription, nor Writ to, nor from me, nor Copy'd by my order, cannot, I presume, be a Libel, nor I hope imputed to me, to whom it came perfectly by Accident: If it were lawful to speak ones guesses from the Contents, it shou'd seem to have come from a Learned Gentleman, one of your own Members, then in the Country, skill'd in the *Spanish* Tongue, to which both my Cousin and I are perfect strangers; nor was either of us out of *London* then, or for some time before. If I cou'd as well hit upon the Person, as his Quality, I wou'd give a more satisfactory account of this matter; and I hope this Honourable Assembly will the sooner credit me, when they reflect, that upon seeing another Paper of my Kinsmans writing, I wou'd not by a Lie deny this to be his hand.

As for my writing to Mr. *Gadbury*, I refer my self to the Letter in Sir *William Waller's* hands: I have told you the accidental occasion; I desir'd from him, (whose Acquaintance I knew large, even among the Members of that Parliament) the most material of public News; I neither ask'd for Schemes or Figures, I have ever
laugh'd

laugh'd at the idle and ridiculous Art of Judicial Astrology, invented, at least practis'd, to impose upon, and pick the Pockets of the Ignorant and the Credulous.

And now as to the Cause of my Commitment : The story Dr. D. told me as News, of *Peter Norris* his knowing as much of the Plot as any man in *England*, his going, or being gone into *France* to fetch a Priest to be a Witness, I can only say, as near as I remember, I gave the same account to Mr. *Secretary* ; not as an Informer, but as News ; for not being look'd upon as such, I was not desir'd to Swear, nor cou'd I to a hear-say. In this I call Heaven to witness I had no Sinister design, but an Honest intention of having the full Truth brought to Light : Nor do I know, nor have I any reason to believe, that Mr. *Secretary's* after proceedings were from any other principle. Upon my telling him the Name of *Norris*, and his saying he had never before heard it, and commanding me to send the Doctor to him, or the others Description ; As soon as I met with the Doctor, which was several days after this Discourse ; and he as not knowing Mr. *Secretary* refusing to go, I desir'd from him the Description, which sometime after he brought me ; I gave or sent to Mr. *Secretary*, for I cannot tell whether. But of this I am certain, that all I knew of the Affair, was from the Doctor only ; and that I never communicated it to any, but Mr. *Secretary*, and that by what I writ under the Description, appears to be near a Month after *Norris* his departure, and consequently cou'd not be design'd to stop his Journey, or prevent the Priests coming over, or obstruct the fuller discovery of the Plot, which no man living desires more than my self, believing it the Interest of every honest Subject

and Protestant, (out of which number I cannot be excluded) to have all in't, from the highest to the lowest punish'd according to merit ; and that tranquility it has so long disturb'd, re-settl'd in the Kingdom : And now I hope none of the Members of this Honourable House can imagine I cou'd be guilty of so Horrid a Crime, as having any knowledge of the Priests being poison'd, as is suspected, or given out he might be. I am so ignorant of this, or any part of the Conspiracy, that I do not so much despise, as decline, because not needing it, the generous offer of Mr. *Speaker*, or other Members Intercession for my Pardon : I acknowledge, as I ought the Favour with all fitting respect ; but I thank God, I am so Innocent, that I dare, as now I do, challenge the whole world, to make out one particular, where in Word or Action, in the whole course of my life, I have done or spoken falsely, or unjustly ; and yet no man ever suffer'd more Calumnies without any cause, or the least shadow of Truth, beyond the witty malice of those, whose Eyes are blinded, and Consciences fear'd by Envy and Interest, who from pretended Friends are become my real Adversaries, contrary to Reason and Justice. But further, none can believe I cou'd keep any dangerous Correspondence, when its well known that for these three years and a half all my Letters were no otherwise Directed, than for me at the *Royal Coffee-house*.

Besides it appear'd at the Committee by *Norris* his own Papers, that this Priest *Dowdall*, (whose Name I never heard before,) died *September* last was twelve month, eight months before I heard there was sitch a man in the World as *Norris*, and at a time when I was in another Country. And since you have thought fit to acquit-

acquit Dr. D. who was my Author and Principal, and who own'd himself a *Roman Catholic*, I hope you will not think it equal, that I a known sincere Protestant, and but an Accessary, should stand Committed, and Committed after such a manner, as neither Felon nor Traitor, not only Accus'd, but Convicted, cou'd suffer a closter Confinement.

And here, Mr. *Speaker*, I intreat your leave to ask Pardon, if at the Committee my behaviour has offended any of the Members of this Honourable House, and to say, whatever heat I express'd, was the effect of Passion, to which I was mov'd, by hearing several of them in public, as at *Locketts* and other Eating and *Coffee-Houses*, had call'd me *Papist*, and a second *Coleman*, with other Aspersions I cou'd not bear without Resentment: To this was added my being commanded a Messenger for Dr. D. (an Office beneath me,) and wherein I cou'd not expect to be successful, not knowing whether he wou'd appear without Compulsion. I hope it will not be accounted an unexpiable Crime for a Gentleman of more Years and Discretion, than I can pretend to, to shew himself disturb'd at a conceiv'd Indignity or Affront; and in hopes it may not be accounted so hainous, I do once more withall due Submission beg pardon. There is one thing more I cannot without trouble touch upon, the Reflections the Written Votes, very different from the Printed, bring upon my Reputation. In those 'tis said, it appears that I have succeeded Mr. *Coleman*, that which there never was a more groundless, false, or malicious invention: And also that I question'd your Authority, and said your Proceedings look'd like the late Rebellion. However Sir *William Roberts* came to make
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the Report, my words were to Sir *John Morton* in another Room, and to him I appeal, whether they were not thus. Upon his advising that I shou'd fare the better, if I freely shew'd my Papers, I told him I wou'd not hid one, nor dispute their power, tho' I had heard others did; and that the Seizing Closets and Writings, was not only Illegal, but look'd upon as one of the Causes of the last Rebellion; thereupon he wish'd I had not said the Words: I reply'd, I ment no harm by those Objections, and notwithstanding my mentioning them, they shou'd find in me a readiness to obey, and an intire submission; and added, if they were offensive, I unsaid them, and ask'd his pardon, as I now humbly do from the whole House, if I am thought herein to have offended: And to do Sir *John* Justice, he was pleas'd to promise he wou'd take no notice of the Discourse, unless commanded; to whom with the rest of the Committee I refer my self, whether of my own accord I was not going along with them, when I met your Messenger.

If I had been guilty of any Crime, I had nor only Warning, but Threats and Advices to fly many days, some weeks before, when I was told by Letters from unknown hands, and by several persons of Honour and Quality, that I was design'd to be brought into trouble; I need not in this place say, for what reason. And here I cannot by the way but take notice of a Report made by Justice *Warcup* at this Bar, and spread at *Coffee-Houses*; that he shou'd have Search'd Mr. *Sheridans* Lodgings, and there found only a parcel of *Papish* Books, whereas he never was in mine, but at Mr. *Brunetty's* House, an *Italian* Merchant, whose Books
those

those must have been; and therefore I hope this was some Clarks, rather than his mistake.

And now since no Man can be plac'd beyond the reach of Malice, and the devices of the wicked, and that I happen to be brought hither as a suppos'd Criminal, I am extreamly pleas'd I had the good fortune to meet with so wise and equal Judges, as compose this August and Honourable Assembly; where I am so far from fears, that I do not doubt, but upon an exact Scrutiny, and an Impartial Examination, my having been so infinitely, and so wrongfully expos'd to the publick; will be so far from gratifying my Adversaries unjust desires, that they will not only be defeated, but my self greatly advantag'd; and therefore I leave my Cause at the Footstool of your Justice, and willingly submit to your Pleasure and Determinations, praying no other favour, than what I am sure you wou'd grant without asking; your full Consideration of the whole Matter, your speedy Condemnation or Acquittal, as I shall be found Guilty or Innocent.

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1. The first of these is the
fact that the number of
cases of the disease has
increased in the last few
years.

2. The second is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

3. The third is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

4. The fourth is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

5. The fifth is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

6. The sixth is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

7. The seventh is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

8. The eighth is the fact
that the disease is now
found in many parts of the
country where it was
formerly rare.

The next Day after this Speech, Mr. *Sheridan* was freed from his Close Restraint, and his Confinement made more Tolerable, by the Liberty of Conversing with whom he pleas'd: A Committee was appointed to examine, Whether the Paper found loose in his Chamber, were of his *Own*, or *Nephew's* Writing; though for it, as a Breach of Privilege, the *Last* had been Committed *Five* Dayes before. Where, by the way, it may seem odd, That Copying a Letter without Divulging it, because there- in a Member of the *House* was reflected on, shou'd be a Crime deserving so severe a Treatment, as the Commitment of a Young Gentleman of the *Temple*; who, Tho he own'd it his Hand, and declar'd he Transcrib'd it for his own Use, as a thing Pleasing and Witty in the Style and Composition, was yet notwithstanding, commanded (in their Presence) to write *Three* or *Four* Lines; which he did with that Speed, that they cou'd not but be satisfy'd he did not Counterfeit. Some Malicious Persons will have it, that his Crime was, his Relation to Mr. *Sheridan*.

At this Committee, both the *Uncle*, and the *Nephew* were treated, first Civilly, and after Roughly enough; the One threatned with the *Pillory*, &c. the Other with an intend- ed Report to the *House*, of his being a very dangerous Person. To which he reply'd, *That he was sorry such an Opinion was taken up, without any Ground; that he cou'd not prevent their Pleasure; only desir'd, They would do, as they would be done unto; and consider, that he was as true a Protestant, as any in the Church of Eng'land; and as Honest a Man, as any in the Kingdom; that he Desy'd the disproving of either of those Two Truths; and if such Men were Dangerous, none were otherwise, but Fools and Knaves.* But what-ever was the Cause, 'tis observable, that this Report was never made, tho the Committee Satc *Thursday* the *Sixteenth* of *December*.

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After this, he was often told by several Persons, *That they heard, his Name wou'd be inserted amongst the Papists, in the design'd Bill of Banishment*: An Artifice too weak to frighten one of less Courage, who cou'd not but be assur'd, so unreasonable a Clause was unlikely to pass the whole *House of Commons*; or, if it shou'd, it wou'd not the *King and Lords*; the Great Conservers of Justice, and the Supreme Tribunal of *England*.

Having stood Committed *Fifteen Dayes*, at great and excessive Charges, and after all Inquiries and Searches, nothing Criminal being found against him; he was by some Friends, as well *Members* as others, together with his Cosen, that they might not seem Stubborn, prevail'd upon to Petition for their Releasment; but to no purpose, some angry *Members* opposing the Reading of their Petitions. I am confident, this cou'd not be the Sense, because not agreeable to the *Justice*, tho' perhaps to the *Orders and Rules*, of the whole *House*; yet thereupon they were laid aside.

Mr. *Sheridan*, having now too much Cause to conclude, he was not like to be Releas'd during that *Session*, since it was not in his Power to answer the Expectations or Desires of some Persons, resolv'd to seek his Remedy by a *Habeas Corpus*, upon a Statute lately made, to prevent Illegal and Arbitrary Imprisonments; from which, if he cou'd not be freed, he hop'd from the *Twelve Judges*, and the *Chancellor*, if refus'd, to recover *Sixty Thousand Five Hundred Pounds* Penalty, to Support and Ease his Expence. But the Dread of the *House of Commons* wou'd not suffer any of the many Counsellors or Solicitors he consulted, to intermeddle in the Matter. Nevertheless, he was not discourag'd, but of himself pursu'd it, tho' without Precedent, and contrary to the Advice of most of his Friends. I am loath to tell you, how very Nicely, some say *Fearfully*,
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the Judges proceeded in this Affair; most desiring further time, and after avoiding being spoken with, unwilling to Deny, and not daring to Grant. But I were Unjust, if I did not let you know, that some wanted not Courage; as my Lord Chancellor, Sir Thomas Jones, Sir Job Charleson; and Sir Richard Weston, who as oblig'd by Law and Conscience, his Oath, and a late Statute, to his Immortal Honour, at the first word granting the Writ, made further Application to the others, unnecessary. Sir William Dolben, and Baron Gregory, were out of Town, or Unconsulted. Of the rest I will say no more, at present; only tell you, Mr. Sheridan is advis'd to bring his Action against several, particularly against Sir Francis North, and Judge Raymond: The Last of these Two thinking fit to ask the Commons Advice, in this particular Instance of doing that Justice to a Subject, which all Judges are sworn neither to Deny, nor Delay. An Act of an extraordinary Nature, and without Precedent, for a Judge to expect Directions in the Execution of his Trust, from the House of Commons, who are no Court of Judicature; and who, if the Case had been dubious, as here himself confess'd it was not, ought rather to apply himself to the rest of the Judges, to His Majesties most Honourable Privy-Council, or to the House of Lords; the last Resort of Appeals in the Kingdom.

I will pass by this Judge's Servants denying his being within, and sending (as I am inform'd) for Sir Thomas Stringer, a Justice of the Peace, to Examine the Gentleman that Solicited Mr. Sheridan's Business, and the Witnesses, whether they were Protestants, and would take the Oaths of Allegiance, &c. which they, being Members of the Church of England, offer'd to do, to his great Disappointment.

At length, after Twelve Dayes struggling with Difficul-

ties, not only with the Judges, but with Inferior Officers; the *Serjeant at Arms* was serv'd with the *Habeas Corpus*, who there-with acquaints the House: They, after *Three* dayes Debate, and *Thrice* Reading over the Statute, finding all so plain, cou'd not but leave the *Serjeant* in Obedience to the Writ, to carry his Prisoner before the Judge; where appearing with Mr. *Sheridan*, the Baron took the Names of *Three* Substantial Persons, by him produc'd for Bail; declaring he wou'd send to the *Speaker*, and *Attorney-General*, and if on *Monday* following, (the utmost Time allow'd by the Act) nothing more appear'd against the Prisoner, he shou'd then between *Three* and *Four* a Clock, Receive the Benefit of his *Habeas Corpus*. But the *Protestation* in the Morning, prevented the Execution of the Baron's Intentions, and set Mr. *Sheridan*, and his Kinsman *Wilson* at Liberty, after almost *Five* Weeks expensive Confinement; who, in all Probability, had lain in Custody during that Session, how long soever, if a *Habeas Corpus* had not been then procur'd: Upon which, after Mr. *Sheridan* had been Discharg'd, his Kinsman expected likewise his Release; there being no Hopes his Petition wou'd be read, since so often oppos'd by Mr. C. tho Mr. *Godolphin*, upon whose account he is said to have been Committed, sent word he was sorry he shou'd on his score be so great a Sufferer; and promis'd, upon any others Motion, to second that for his Liberty: Of which, many of that House thought, he had done nothing worthy the Forfeiture.

And because you have heard by the *Written Votes*, that it did not appear to Baron *Weston*, that Mr. *Sheridan* was Committed by the *House of Commons*, when he granted the Writ; you have here sub-joyn'd a true Copy of his *Petition*, and *Warrant* thereunto annex'd, and deliver'd to the Baron.

To

To Sir Richard Weston, Knight, One of the Barons
of His Majesties Court of Exchequer.

The Humble Petition or Request of *Thomas Sheridan*,

Sheweth,

That Your Petitioner was on the Ninth of December
last, Committed by one and the same Warrant, and
upon the same Account, with Dr. D. (who was Re-
leas'd within Two Days after) into the Custody of the Ser-
jeant at Arms, attending the House of Commons.
That Your Petitioner humbly conceives he ought to be Bail'd,
neither Felony, nor Treason, nor any other Crime, nor Breach
of Priviledge, being laid to his Charge; as by the Copy
of the Warrant of his Commitment here-unto annex'd, does
appear.

He therefore Humbly prays, To have His
Majesties Writ of *Habeas Corpus*, accor-
ding to the Statute made *Tricesimo Pri-
mo* of the now KING.

And Your Petitioner shall Pray, &c.

The Copy of the WARRANT.

By Vertue of an Order of the Commons of England
Assembled in Parliament, this Day made, There
are to Will and Require you to keep in safe Cu-
stody the Bodies of Mr. Sheridan, and Mr. D. separately
and

and apart, DURING THE PLEASURE OF THE HOUSE OF COMMONS. And you are not to suffer or admit any Person to them, other than such as shall have Occasion to bring them Necessaries: And for your so doing, this shall be your Warrant. Whereof fail you not, as you will answer the Contrary at your Peril. Given under my Hand the Ninth Day of December, 1680.

William Williams, Speaker.

To John Topham, Esquire, Serjeant at Arms, &c.

It is very obvious, and natural to observe from recounting to you this Case, that the Great Charter of England, or Magna Charta, was little thought of, or that I am much mistaken in its meaning; since nothing is more expressly forbid, than that any Man should be Imprison'd, or Disseiz'd of any part of his Free-hold, Goods, or Chattles (among which, are to be reckon'd all things a Man is Lawfully possess'd of, whether Letters, Papers, or other Matters) without due process of Law.

By 25 Edw. 3. c. 4. it was Enacted, That none shall be taken by Petition or Suggestion made to the King, or to his * Council, unless it be by Indictment, or Presentment of good and lawful People of the same Neighbourhood, where such Deeds be done in due manner; or by Process made by writ Original at the Common-Law; and that none be put out of his Franchise, or Free-hold, unless he be duly brought in to answer, and fore-judged of the same, by the Course of the Law. And 28 Edw. 3. c. 3. it is Ordain'd, That no Man, of what Estate, or Condition soever he be, shall be put out of his Lands and Tenements, nor taken, nor imprisoned,

* The Parliament is owned the King's Great Council.

imprisoned, nor disinherited, without being brought in to Answer by due Process of Law. 42 Edw. 3. c. 3. 'tis Decreed, That no Man be put to Answer without Presentment before Justices, or Matter of Record, or by due Process, and Writ Original, according to the Old Law of the Land: And if any thing be done to the contrary, it shall be void in Law, and holden for error. Likewise, in the Petition of Right, 3 Car. 1. c. 1. 'tis Complain'd of by the Commons, as a great Grievance of the Subject, That against the Tenor of the said Statutes, and other the good Laws, and Statutes of this Realm to that end Provided, divers of His Majesties Subjects have been Imprisoned Without any Cause shewed; and when for their Deliverance, they were brought before Justices, by His Majesties * Writs of Habeas Corpus, there to undergo and receive, as the Court should Order; and their Keepers Comanded to Certify the Cause of their Detainer; no Cause was Certified, but that they were Detained by His Majesties Special Command. And 37 Edw. 3. c. 18. 'tis Enacted, That though it be Ordained in the Great Charter, that no Man be Taken, nor Imprisoned, nor put out of his Free-hold, without Process of the Law; nevertheless, divers People make false Suggestions to the King himself, as well for Malice, as otherwise, where the King is often Grieved; and divers of the Realm put in Damage, against the Form of the same Charter: Wherefore it is Ordained, That all they who make such Suggestions, shall be sent with the same Suggestions before the Chancellor, Treasurer, and his Grand Council; and that they find there Surety, to pursue their Suggestions, and incur the same Pain, that the others should have had, if Attainted, in case that his Suggestion be found Evil. Or as it is alter'd in the following Parliament, 38 Edw. 3. c. 9.

* Which by the by, were not then Denied, though the Laws were not half so full and express, as the late Statute.

It is Assented, that if he that maketh the Complaint, cannot prove his intent against the Defendant, he shall be Commanded to Prison, there to abide till he hath made gree to the Party of his Damages, and of the Slander that he hath Suffer'd by such Occasion; and after shall make Fine, and Ransom to the King. In the Statute 16 Car. 1. c. 10. 'tis Declared, That the Reasons for putting down the Star-Chamber-Court, was not only Founded on their Proceeding contrary to former Statutes; but that it was also an intolerable Burden to the Subject, that the Remedies for all Causes, might be had in the ordinary Courts of Justice; and that it was the means for introducing Arbitrary Government.

I say then, if the same things are Exercis'd, and the Causes remain any where else, they are equally to be Discourtenanc'd, and Explode'd by *King and Parliament*, and all Free-born Subjects: And if the *King's* Officers or Ministers, from the Highest to the Lowest, do any Illegal Act, though by the *King's* express Command, they themselves become Criminal: it cannot be suppos'd, that any Officer of any Court whatever, or Power inferior to His Majesties, can have a greater Latitude; but that whoever Executes any unlawful Command to the Prejudice of his Fellow Subject, must be Answerable to the Party Agriev'd, and lyable to make him Satisfaction; notwithstanding any Illegal Warrant whatsoever.

He that Considers the great Charge of *One Pound, Six Shillings*, and *Eight Pence per Diem*, Fees to the Serjeant, and his Messenger, besides Diet, and Lodging at Pleasure, will believe no Man ought to Suffer under that Punishment, but upon good Grounds, and in conformity to former Laws, without the Accusers giving Security for Prosecution & answering Damages, if the Party prove himself Injur'd. 'Tis a known Maxim in our Laws, that *Carcer est*

ad custodiendos, non ad puniendos homines, before Trial or Conviction; which was so far from being Mr. *Sheridan's* Case, that he was Committed, During Pleasure to a Chargeable Confinement, without Cause Alledg'd, or any Information upon Oath; which is very Remarkable, if we consider *Norris's* Case, which was Voted by the same House, that restrain'd Mr. *Sheridan* in this manner, Illegal and Arbitrary, because there was neither information upon Oath, nor Crime Specifi'd; and sure, no Man can Conclude the *Commons* may do that against a Subject, which the *King* cannot, without some Statute, giving the one that Power, which is Deny'd by all to the other. But, as the *King* can do no Wrong, though his Officers may; so I am content to admit, if they Challenge the same Priviledge; that the *House of Commons* may be alwayes in the Right, provided they allow, that in the Execution of their Injunctions, some of their Members, and Ministers, may be not; though the whole Body may be exempt, yet those do run the hazard of being call'd to an Account.

I am, certain, 'twas in Order to Vindicate the Right of the Subject, as well as to retrieve his own Liberty, and free himself from charge, Mr. *Sheridan* attempted the *Habeas Corpus*; a Motion, that no doubt offended some, though not the disinterested part of the Nation, nothing tending more to the advantage of the People, and the opposition of Arbitrary Power, at least equally to be contended against in the Commons, as in the King, by every free-born Subject; who if necessity makes him a Slave, and he have the Liberty to choose, ought and must prefer one Master to many. And tho' it was three several Dayes debated in the House, and that some were of opinion, the Act was not design'd in favour of any by them Committed, the Contrary was so plain from

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the Words, that it was never brought to a Vote. And I am inform'd, that one of the most Eminent and Deservedly Leading man of the House, a Manager of My Lord *Stafford's* Tryal, Mr. P. advis'd their proceeding according to Law, in a Case where the Right of the Subject was so nicely concern'd; and which was indeed, or might be, every *English*-man's, in which present and future Ages were equally interess'd, and in which a Vote, not having at all the force of a Law, nor the exposition of a Statute, might not only Reflect, but make them Odious to all the World: An advice, which all the People in the Kingdom ought to acknowledge with Gratitude; nothing being more certainly the true Interest of the Nation, than to keep all things within their proper Bounds and Channels; the King to continue to Both Houses of Parliament, what the Lords have by Fundamental Constitutions alwayes enjoy'd, and the Commons by their constantly renew'd Petitions have receiv'd from the Kings Favour, their accustomed Right, and Priviledges; and neither Lords nor Commons to Entrench upon, or offer violation to, any of their Sovereigns Prerogatives, which (as the great *Coke* sayes) are as much the Peoples Safety as the Kings Honor.

And indeed it were highly preposterous, that the King, who is the Fountain, Spring and Head of all Law & Justice, should be concluded by this Act, and the Commons should not, who are the Lowest part in the Legislative Power, and who have no manner of pretence to Judicature, nor (by Original Writ) to Jurisdiction over any, even their own Members, as is consonant to Reason, being all equal, and as such, having no more Power over one another, than *Hartford-shire* has over *Essex*, or *Oxford* over *Cambridge*, agreeable to that known Maxim in our own, and the Laws of all Nations, *Paribus in pares non datur*

datur potestas. It plainly appears, that the Punishments of breach of privilege against any of the Commons, was order'd, upon their applications, by the King or Lords, and never any by themselves inflicted before the later end of *Henry* the 8th.s. Reign, when the case of *Ferrers*, because extraordinary, was referr'd to 'um by the Lords, as you will see in *Cromptons* Jurisdiction of Courts. And at this day 'tis certain, the Commons can force none into the custody of their Serjeant, but in the case of Refractory Persons are under a necessity of begging the Kings assistance, as is plain not only from Mr. *Stowell's* refusal to go along with their Messenger; but likewise from their Printed Votes of the 8th. of this instant *January*, concerning *Sr. John Lloyd*, &c. However, since concession or continued usage have given them Power over their own Members, or over others guilty of Breach of Privilege, let them in Gods Name enjoy it still; but let them not Vote any thing they please a breach of Privilege, since they are known, and no other than what they ask at the beginning of every Parliament from the King's Grace, and are Recorded, as first beg'd in *Henry* the 8th.s. dayes by *Sr. Thomas Moor*, then Speaker. To Act otherwise, is to set up an Arbitrary Power, never to be endured by any *English*-man, unless the most despicable of Cowards and Betrayers of his Country-Liberties. For, as the Commons are the Representatives of the Nation, so they are chosen to defend, not invade their own, when out of that station, as well as the Peoples, Priviledges.

While this Process was on foot, Mr. *Sheridan* had many Addresses and Advices to Petition a second time; which he not only refus'd before at the Serjeants Instance, but after also at that of others; and that you may be fully satisfy'd of this Truth, read the following Letter on this occasion to one of the Members, *Sir A. C.*

Sir,

HAVING been inform'd, first by the Serjeant of Your House, and after by my Old Acquaintance Mr. Fermyn, of your Favour towards me, I cannot without Ingratitude, but return you my Heartly and Humble Acknowledgment for so Great an Obligation: But having formerly Petition'd with Great Deference, and Respect to the Honourable House of Commons, otherwise against my own Judgment and Reason; and That not being Read, having no New Matter to offer, I will not give you the trouble of a Second. I am apt to think, when my Cause is Examined, it will be found amongst the Hardest. Dr. D. a confest Papist, and Author of the Story, being Discharg'd without Fees or Petition in Two Days; and I a known Protestant kept Prisoner Twenty-Five, tho' both Committed for one and the same Cause, or rather no Cause, none being mention'd in the Warrant; and for Eight of those Dayes kept closer than a Felon, or a Traytor. Had my first been dislik'd for Matter or Form, I might have preferr'd another, which now I think wou'd not be proper. Besides my own Sufferings, my Cosen likewise taken into Custody, for Copying a Paper containing no Criminal, tho' Reflective matter, as a Breach of Priviledge, because a Member mention'd; and yet Four days after, a Committee appointed to Examine, whether or no it was his Writing. I hope Sir, when these Things, and the Reflecti-

ons Unjustly thrown upon me, are fully consider'd, I shall have my Liberty; for which I will own my self oblig'd to You, and on all Occasions study to approve my self, what I really am,

SIR,

Your most humble, and very much oblig'd Servant,

T. S.

I have industriously avoided in this Narrative, the overtures I have heard were made Mr. S. because not to be mention'd without Reflection on one side, or too much Honour on his. 'Tis enough, that he resisted all manner of Temptations, that cou'd betray or discover a propension to Dishonesty or Cowardize; and that as he had spoken and given it under his hand, so he wou'd make his Actions justify his words, that he wou'd by all possible means promote the good and service of his King and Country, without making Shipwrack of a Good Conscience, and that Reputation, which though clouded for the present, he neither cou'd nor wou'd forfeit.

I will add no more, than to English what a wise French-man in such an occasion has Recorded: *Si vous jugez sur les apparences, vous serez souvent trompée: Ce qui paroist n'est presque jamais la verité.* If you will not be deceiv'd, judge not according to Appearance, but judge Righteous judgment. He that has liv'd any time in the World, ought in passing his Censure upon others, to consider whether he himself has never been traduc'd, or heard groundless stories; if he have not, he has had extraordinary good fortune; if he have, he ought to be very slow in giving credit to Reports, which are sometimes rais'd

rais'd upon very little, and often without any, grounds.

This has been notoriously Mr. S's. Case; no man was ever more loudly clamour'd against, nor more without cause, as appears in that after all scrutinies he is found Innocent; insomuch that one may well say, Here has been not only a Great Cry, and Little, but no Wool; abundance of Smoak, without any Fire. Though his envious Adversaries will have it, that his Cunning only protected him, I do not doubt but you will believe the contrary, knowing from many years intimate Acquaintance, no man is more free and open, has least of craft or subtilty; and considering his temper, none has more cause to study to preserve from danger the simplicity of the Dove by the Wisdom of the Serpent: A Caution, if ever useful, at this time more particularly necessary.

Through his Sides, 'tis well known, a very great Person was Shot at, who perhaps will be found Invulnerable. Dogs Bark at the *Moon* in vain. Some Spots there may be in that Great and Glorious Body, but none such as can render it usefess or insignificant to any Man of Sense or Reason.

Conclude then of all Men by your own Experience, and not upon the Relation of either Friends or Enemies; the first are not more Partial, than the last Malicious. I shou'd play the Fool extreamly, if I gave you Advice, who of all the World has the least need of any; and therefore, not having design'd this to you, without begging your Pardon, I will take the Liberty without further Apology, abruptly to Subscribe my self, what I truly am,

London, January
the 20th. 1687.

My Lord,

Your Grace's with all imaginable
Respect and Sincerity,

FINIS.

L. L.

